

REMARKS

Claims 1-48 have been rejected. In the present response, claims 1, 7, 8, 11, 14, 15, 21, 22, 23, 29, 30, 35, 36, 37 and 44 have been amended, claims 45, 46, 47 and 48 have been canceled and new claim 49 has been added.

Claims 8-14, 30-36 and 46 have been rejected by the Examiner under 35 U.S.C. § 101. Claims 8 and 30 have been amended in a manner that further clarifies the scope of the claimed subject matter in a manner believed to alleviate the Examiner's concerns under this rejection.

Accordingly, withdrawal of these rejections under 35 U.S.C. § 101 is respectfully requested.

Claims 1-48 have been rejected by the Examiner under 35 U.S.C. 103 as being unpatentable over Mathai et al. (U.S. Patent No. 6,847,969) in view of Chen et al. (U.S. Patent No. 6,857,024). This rejection is respectfully traversed.

In the Office Action, the Examiner asserts that Mathai discloses the “collecting at a client information about a user, the information about the user including navigation behavior of the user, the navigation behavior being monitored at the client” (hereinafter referred to as the “collecting” element). According to the Examiner, in “Mathai, whenever the user inserts the system access card into a system terminal, the system automatically updates and enriches the user profile by tracking the user's usage of the system in a usage history record” based on the Examiner's interpretation of col. 4, lines 26-30 and col. 5, lines 24-63 of Mathai. However, the Examiner's reliance on these portions of Mathai to meet the “collecting” element of the present application.

As stated in co. 5, lines 24-31 of Mathai, the user profile (which includes the usage history record) are collected and stored by a system server/database. As shown, for example, in Fig. 10 and col. 18, lines 29-43, database servers 1020 collect and store the user data (which includes the user profile) remotely from the terminal 1002. It is not the terminals that are collecting/monitoring the user but rather the server side applications in Mathai.

In complete contrast, the claims of the present application monitor and collect information about a user at the client (i.e., on the client side) using an application residing on the client and not on some remote server as is described in Mathai. Thus, basically, in the claims of the present application, the information is monitored and collected at the client side whereas in Mathai, the information is monitored and collected on the server side. Accordingly, the claims of the present application are believed to be patentably distinguishable from the disclosure in Mathai and withdrawal of the rejections under 35 U.S.C. 103 for claims 1-44 is respectfully requested.

Conclusion

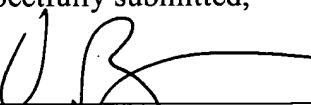
Thus, at least for the reasons stated above, claims 1-44 and 49 are currently presented are believed to be in condition for allowance. If the Examiner has any questions or needs any additional information, the Examiner is invited to telephone the undersigned attorney at (650) 843-3215.

In addition, if for any reason an insufficient fee has been paid, the Examiner is hereby authorized to charge the insufficiency to Deposit Account No. 05-0150.

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Squire, Sanders & Dempsey L.L.P.
600 Hansen Way
Palo Alto, CA 94304
Telephone (650) 856-6500
Facsimile (650) 843-8777

Respectfully submitted,

By: 
Vidya R. Bhakar
Registration No. 42,323

PaloAlto/88501.1